

Agenda Item Form

Agenda Date: November 2, 2004

Districts Affected: 3

Dept. Head/Contact Information: Charles D. Ruiz (915) 541-4221
Community and Human Development

Type of Agenda Item:

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Resolution | <input type="checkbox"/> Staffing Table Changes | <input type="checkbox"/> Board Appointments |
| <input type="checkbox"/> Tax Installment Agreements | <input type="checkbox"/> Tax Refunds | <input type="checkbox"/> Donations |
| <input type="checkbox"/> RFP/ BID/ Best Value Procurement | <input type="checkbox"/> Budget Transfer | <input type="checkbox"/> Item Placed by Citizen |
| <input type="checkbox"/> Application for Facility Use | <input type="checkbox"/> Bldg. Permits/Inspection | <input type="checkbox"/> Introduction of Ordinance |
| <input type="checkbox"/> Interlocal Agreements | <input type="checkbox"/> Contract/Lease Agreement | <input type="checkbox"/> Grant Application |
| <input type="checkbox"/> Other ____ | | |

Funding Source:

- ☐ General Fund
☒ Grant (duration of funds: ____ Months)
☐ Other Source: ____

Legal:

- ☒ Legal Review Required Attorney Assigned (please scroll down): Jeff McElroy ☒ Approved
☐ Denied

Timeline Priority: ☒ High ☐ Medium ☐ Low # of days: ____

Why is this item necessary:

SUBJECT: Release of Lien - 361 Buena Vista, El Paso, Texas 79905 (Loan No. 597)

This item refers to a lien placed on the property located at 361 Buena Vista, El Paso, Texas, 79905. The owners of said property, Marcelino and Simona Serna and daughter, Gloria Serna, have satisfied all obligations deriving from a Housing Rehabilitation Loan of \$12,210.00 with payments of \$117.83 for 240 months at 10% interest rate and a Grant of \$1,190.00 with payments of \$9.92 for 120 months at 0% interest rate, both dated August 31, 1982. Marcelino Serna and Simona Serna and daughter, Gloria Serna are due a refund in the amount of \$3,033.41. Funds are available in the CD Housing Rehab Dept ID: 71150039, Grant: 710RLEFDAH, Fund: 09903, Financial Location: 71000, Account: 505065. (District No. 3.)

Explain Costs, including ongoing maintenance and operating expenditures, or Cost Savings:
Grant funded

Statutory or Citizen Concerns:
None expected

Departmental Concerns:
N/A

ITEM: _____

SUBJECT: Release of Lien - 361 Buena Vista, El Paso, Texas 79905 (Loan No. 597)

This item refers to a lien placed on the property located at 361 Buena Vista, El Paso, Texas, 79905. The owners of said property, Marcelino and Simona Serna and daughter, Gloria Serna, have satisfied all obligations deriving from a Housing Rehabilitation Loan of \$12,210.00 with payments of \$117.83 for 240 months at 10% interest rate and a Grant of \$1,190.00 with payments of \$9.92 for 120 months at 0% interest rate, both dated August 31, 1982. Marcelino Serna and Simona Serna and daughter, Gloria Serna are due a refund in the amount of \$3,033.41. Funds are available in the CD Housing Rehab Dept ID: 71150039, Grant: 710RLFCDAH, Fund: 09903, Financial Location: 71000, Account: 505065. (District No. 3.)

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R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of THIRTEEN THOUSAND FOUR HUNDRED AND NO/100 DOLLARS (\$13,400.00 Grant Note-\$1,190.00, Loan Note-\$12,210.00), against the following described real property:

Lot 46, Block 2, CLARDY SUBDIVISION NUMBER ONE, an addition to the City of El Paso, El Paso County, Texas; according to the map thereof on file in Book 7, Page 25, Plat Records of El Paso County, Texas; known and numbered as 361 Buena Vista

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of Three Thousand Thirty Three and 41/100 Dollars (\$3,033.41). [Funds are available in the CD Housing Rehab Dept ID: 71150039, Grant: 710RLFCDAAH, Fund: 09903, Financial Location: 71000, Account: 505065].

ADOPTED this 2nd day of November, 2004.

THE CITY OF EL PASO

Joe Wardy
Mayor

ATTEST:


Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Jeff McElroy
Assistant City Attorney

APPROVED AS TO CONTENT:



Robert A Salinas, Director
Community and Human Development

RELEASE OF LIEN

Date:

Note: SECURED GRANT NOTE

Date: August 31, 1982

Original Amount: ONE THOUSAND ONE HUNDRED NINETY AND
NO/100 DOLLARS (\$1,190.00)

Makers: Marcelino Serna and wife, Simona Serna and
daughter, Gloria Serna

Payee: City of El Paso

Date of Maturity: August 30, 1992

Holder of Note and Lien: City of El Paso

Holder's Mailing Address (including County):

2 Civic Center Plaza
El Paso, Texas 79901-1196
El Paso County, Texas

Note: LOAN NOTE

Date: August 31, 1982

Original Amount: TWELVE THOUSAND TWO HUNDRED TEN AND
NO/100 DOLLARS (\$12,210.00)

Makers: Marcelino Serna and wife, Simona Serna and
daughter, Gloria Serna

Payee: City of El Paso

Date of Maturity: September 1, 2002

Holder of Note and Lien: City of El Paso

Holder's Mailing Address (including County):

#2 Civic Center Plaza
El Paso, Texas 79901-1196
El Paso County, Texas

Note and Lien are described in the following documents recorded in:

Builder's and Mechanic's Lien Contract (with Power of Sale), dated August 31, 1982, recorded in Volume 1286, Page 0940, in Film Records of El Paso County, Texas, between Marcelino Serna and wife, Simona Serna, and daughter, Gloria Serna, a feme sole, as Owners, and Ray Juarez, d/b/a Ray Juarez Contractor, as Contractor, for the amount of \$13,400.00 and transferred to the City of El Paso, to all of which and its record, reference is here made for full particulars.

Property (including any improvements) Subject to Lien:

Lot 46, Block 2, CLARDY SUBDIVISION NUMBER ONE, an addition to the City of El Paso, El Paso County, Texas; according to the map thereof on file in Book 7, Page 25, Plat Records of El Paso County, Texas; known and numbered as 361 Buena Vista

Holder of the notes acknowledges full satisfaction and compliance with repayment terms and releases the property from the lien.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED this 2nd day of November, 2004.

THE CITY OF EL PASO

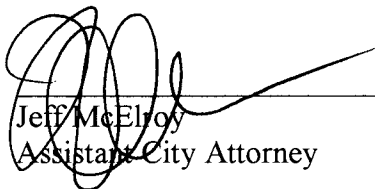
Joe Wardy
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk


Richarda Duffy Momsen, Trustee

APPROVED AS TO FORM:



Jeff McElroy
Assistant City Attorney

APPROVED AS TO CONTENT:



Robert A Salinas, Director
Community and Human Development

(Acknowledgment)

STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on the ____ day of November 2004, by JOE WARDY, as Mayor of the City of El Paso, a municipal corporation, on behalf of said corporation.

Notary's Commission Expires:

Notary Public, State of Texas

Notary's name (printed)

(Acknowledgment)

STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on the ____ day of November 2004, by RICHARDA DUFFY MOMSEN, as City Clerk and Trustee of the City of El Paso, a municipal corporation, on behalf of said corporation.

Notary's Commission Expires:

Notary Public, State of Texas

Notary's name (printed)

AFTER RECORDING RETURN TO:

PREPARED IN THE LAW OFFICE OF:
City Attorney's Office
2 Civic Center Plaza
El Paso, TX 79901-1196